

KOUSOULAS & ASSOCIATES P.C.

ATTORNEYS AT LAW

48 WALL STREET • 25TH FLOOR

NEW YORK, NEW YORK 10005

ANTONIA KOUSOULAS, ESQ.
ADMITTED TO NY AND NJ BAR
AKOUSOULAS@KALAWYERS.COM
DIRECT TEL: 212-509-2566

September 9, 2011

Hon. Roanne L. Mann
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Del Valle v. International Union of Operating Engineers, Local Union 14-14B
10 Civ. 5210 (ERK)(RLM)

Dear Magistrate Judge Mann:

I represent Louis A. Del Valle, the plaintiff in the above-referenced matter. I write to respectfully request a 60 day extension of deadlines set forth in this Court's scheduling order of May 24, 2011. Specifically, I seek a 60 day enlargement of time within which the plaintiff is to amend the pleadings as of right and bring any additional parties to this action, from September 9, 2011 and until November 8, 2011. In addition, I am respectfully requesting an adjournment by 60 days, or by any amount of time that is convenient to the Court, of the settlement conference scheduled for October 14, 2011 at 2:00 p.m. This is the first request for an enlargement of time and adjournment with regard to this Court's scheduling order. I have spoken to Vincent M. Giblin, the attorney for defendant and he consents to his request for additional time.

I am seeking this enlargement of time because I do not have sufficient information at this time to determine whether the pleadings require any amendment or whether any additional parties should be brought in to this action. For nearly two months, I have had to tend to my son's medical treatments, including two surgeries in August, requiring me to take a significant amount of time off from work. While plaintiff has responded to Defendant's Interrogatories and Document Requests and the parties have conferred regarding a number of discovery-related issues that have arisen, I will require additional information and time in order to determine whether to amend the pleadings. In addition, I believe that the settlement conference, presently scheduled for October 14, 2011, would be more fruitful if it is held at a later date, when the parties have had the benefit of a full exchange of discovery and at least one or two depositions.

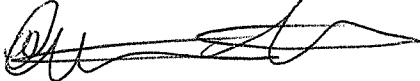
I hope to return to a full schedule at work within the next two weeks and I will immediately apply myself to this action so that we could meet the discovery deadlines, and any revised discovery deadlines pursuant to this application.

I also write to apologize for submitting this letter today rather than earlier in the week, but I had experienced problems with my log in name or password and was unable to access the ECF system during my eight attempts on September 7th and 8th. I have since spoken with Evelyn Levine of the ECF helpline and we were able to resolve the problem.

Thank you for your consideration of this request.

Respectfully submitted,

ANTONIA KOUSOULAS

A handwritten signature in black ink, appearing to read 'Anton' followed by a stylized flourish.

Cc: Vincent M. Giblin (via ECF)